

Message Text

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ACTION EB-07

INFO OCT-01 CIAE-00 COME-00 DODE-00 NRC-05 NSAE-00 TRSE-00

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EXCON

E.O. 11652: XGDS-1

TAGS: ESTC, COCOM

SUBJECT: 1974 COCOM LIST REVIEW: IL 1362 VIBRATION TEST-
ING EQUIPMENT

REFS: A. STATE 292640

B. STATE 291559

C. STATE 290275

D. OECD PARIS 31091

E. COCOM DOC REV (74) 1362/8

1. CONSIDERATION OF THE US COUNTERPROPOSAL ON IL 1362 (REF C) TOOK PLACE ON DEC. 11 AND 12. IT BECAME CLEAR ON THE FIRST DAY OF DISCUSSIONS THAT THE FRENCH WERE LIKELY TO BLOCK AGREEMENT ON THE ITEM UNLESS THE EQUIPMENT UNDER OUR SUB-ITEM THREE THAT WOULD BE FREE FROM EMBARGO WOULD INCLUDE A SYSTEM WITH A THRUST OF LESS THAN 2,000 POUNDS. THE RESULT WAS TO BE ACHIEVED THROUGH AN SOU (WHICH WOULD APPLY TO THE ENTIRE ITEM) PROPOSED BY THE GERMANS (REF D). THIS FRENCH ATTITUDE HAD BEEN PARTIALLY STATED DURING THE FIRST WEEK OF THE FOURTH ROUND (SEE REF E, PARAS. 7 AND 11). THEIR MAIN ARGUMENT IS THAT SUB-ITEM THREE WOULD BRING UNDER EMBARGO EQUIPMENT NOW FREE ACCORDING TO THE CURRENT DEFINITION, I.E. SPECIALIZED ANCILLARY EQUIPMENT FOR VTE'S PROVIDING A THRUST OF LESS THAN 2,000 POUNDS.

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2. THE USDEL COVERED THE POINTS IN REF. B, PARAS. 2 AND 3, AND IN REF C. IN ADDITION, USDEL MADE A STATEMENT (OFF-THE-RECORD) PROVIDED BY MR. JAMES WHICH TRIED TO MAKE CLEARER THE DIFFERENCES BETWEEN THE EQUIPMENT IN SUB-ITEM ONE AND IN SUB-ITEM THREE. THE FRENCH THEN INDICATED THAT WITHOUT AN SOU TO SOLVE THEIR PROBLEM, THEY WOULD HAVE TO OBJECT TO SUB-ITEM THREE. USDEL THEN PROPOSED THE SOU IN PARA. 4 OF REF B AS A COUNTERPROPOSAL TO THE GERMAN SOU. THE FRENCH FELT THAT WE COULD NOT REFER TO AN ITEM IN THE IL THAT MIGHT BE CHANGED, I.E. ITEM 1362 OF DOCUMENT (72)2500, BECAUSE THIS WAS NOT ACCEPTED COCOM PRACTICE. THE UK SUGGESTED THAT THE SAME LANGUAGE IN THE CURRENT DEFINITION COULD BE USED IN THE SOU, AND FORMALLY PROPOSED SUCH WORDING. SINCE THE UK VERSION WOULD HAVE THE SAME EFFECT AS OUR SOU (REF. B, PARA. 4) USDEL CONCURRED AD REF. WHEN ASKED BY THE CHAIRMAN IF THE US/UK COUNTERPROPOSAL TO THE GERMAN SOU APPLIED TO THE WHOLE ITEM AS DID THE GERMAN SOU, USDEL RESPONDED AFFIRMATIVELY BECAUSE REF. B, PARA. 4 WORDING READS "THIS ITEM," MEANING ALL OF OUR PROPOSED WAS COVERED BY OUR SOU.

3. SUBSEQUENTLY, WASH TEAM THOUGHT THROUGH THE LOGIC OF THE FRENCH POSITION AND COMPARED IT TO THE US PROPOSAL BASED ON INSTRUCTIONS IN REF B. PARA. 4 FOR AN SOU. OUR VIEWS DIFFERED AS TO THE INTENT OF OUR INSTRUCTION AND JUST EXACTLY WHAT THE FRENCH WERE LOOKING FOR. WASH TEAM THEN UNDERTOOK (BY PHONE AND CABLE) TO INFORM WASH. OF OUR DIFFERING VIEWS, THE FRENCH PROBLEM, AND VARIOUS POSSIBLE OPTIONS AS FOLLOWS:
(1) CONFIRM AD REF AGREEMENT TO THE UK SOU, (2) PLACE A 2,000 POUND CUTOFF ON SUB-ITEM THREE, (3) CONFIRM OUR AGREEMENT TO THE UK SOU IF IT IS ONLY APPLIED TO SUB-ITEM ONE, (4) OBJECT TO THE UK SOU AND WITHDRAW OUR OWN AND THUS FORCE THE FRENCH TO DECIDE, OR (5) CARRY OUT NUMBER FOUR ABOVE, BUT CLARIFY OUR DEFINITION IN SUB-ITEM THREE SO THAT HOPEFULLY, THE FRENCH PROBLEM MIGHT BE SOLVED.

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4. ON DEC. 12 USDEL WITHDREW OUR SOU AND OUR AD REF AGREEMENT TO THE UK SOU BASED ON REF. A, AND RESTATED OUR VIEW THAT AN SOU WAS NOT REQUIRED. THE FRENCH THEN RESERVED ON SUB-ITEM THREE. THE CHAIRMAN STATED THAT AT THIS LATE DATE THE COMMITTEE WOULD HAVE TO CONSIDER THIS AS AN OBJECTION, A POINT THAT THE FRENCH DEL AGREED TO. FINALLY, THE UK GOT INTO THE ACT WITH US AND WENT TO WORK ON THE FRENCH VIEW OF SUB-ITEM THREE AND ITS RELA-

TIONSHIP TO THE CURRENT EMBARGO, WHICH WE WILL LEAVE TO THE RECORD OF DISCUSSION. THE FINAL RESULT WAS THAT SINCE OUR PROPOSAL WAS CONDITIONAL (IN THAT SUB-ITEM TWO AND THREE HAD TO BE ACCEPTED IF SUB-ITEM ONE WAS TO BE RELAXED) USDEL WITHDREW THE US PROPOSAL NOTING THAT WE WOULD STUDY IT AGAIN, ESPECIALLY SUB-ITEM THREE; AND RESERVED THE RIGHT TO RESUBMIT THE PROPOSAL IN THE DEF. SERIES. IN THESE DISCUSSIONS THE US AND THE UK MADE IT CLEAR TO THE COMMITTEE THAT THE FRENCH WERE ALONE IN THEIR VIEW, AND HAD BLOCKED THE LONG EFFORT ON THE PART OF ALL THE OTHER PC'S TO REACH AGREEMENT ON THIS ITEM.

6. ACTION REQUIRED: REDRAFT OF SUB-ITEM THREE SO THAT THE DEFINITION SETS OUT EXACTLY WHAT EQUIPMENT IS TO BE COVERED. BILATERAL CONTACTS WITH THE UK MIGHT BE VERY USEFUL IN THIS MATTER.

FYI: HOWEVER, THE HARD FACTS MAY BE THAT THE FRENCH KNOW EXACTLY WHAT THE MODAL SURVEY SYSTEMS ARE, AND DO NOT WANT THEM EMBARGOED BY ANY NEW LANGUAGE SINCE THEY FEEL THIS EQUIPMENT IS NOT NOW COVERED BY THE IL. THIS ITEM WAS DISCUSSED IN BOTH THE THIRD AND FOURTH ROUNDS WITHOUT A US TECHNICAL EXPERT PRESENT. OUR SUB-ITEM THREE MIGHT HAVE FARED MUCH BETTER IF AN ON THE SPOT DEFENSE HAD BEEN ABLE TO COUNTER THE FRENCH "SMOKE SCREEN" OF TECHNICAL CONSIDERATIONS. SOME FRENCH COMMENTS WERE UNDOUBTLY OF MERIT WHILE OTHERS MAY HAVE BEEN VERY WEAK; WASH TEAM LACKED THE TECHNICAL BACKGROUND TO BE ABLE TO TELL ONE FROM THE OTHER.
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